

following statements, regarding the curative and therapeutic effects thereof and the ingredients and substances contained therein, (box) "Tonoline Tablets \* \* \* valuable in the treatment of the various Debilitating Diseases of men and in the most extreme cases of Nervous Prostration in women. For \* \* \* Nervousness, Rundown, Wornout, Emaciated, Lost Ambition and to Correct Poor Assimilation," (circular) "\* \* \* the use of Tonoline should increase the red corpuscles of the blood, and promote what is known as cellular activity \* \* \* exerts upon the nervous system a regulating tonic action. \* \* \* to Make Thin \* \* \* Men and Women Plump \* \* \* the missing link between food and flesh. \* \* \* most marvelous body builder which medical science has, so far, produced. \* \* \* nothing \* \* \* has ever been discovered which can in any way approach it. \* \* \* Tonoline does supply this one missing link in the chain of normal human health and vitality—the power to properly assimilate \* \* \* the flesh forming and tissue building elements of food \* \* \* for a thin person, the certainty of getting fat depends almost entirely upon Tonoline," which were false and fraudulent in that the said article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, which were applied to said article with a knowledge of their falsity for the purpose of defrauding the purchasers thereof.

On September 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**3069. Misbranding of Make-Man Tablets. U. S. \* \* \* v. 18 Packages of \* \* \* Make-Man Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13575. I. S. No. 10203-t. S. No. W-678.)**

On or about September 3, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 packages of a drug, labeled in part "Make-Man Tablets," consigned by the Block Drug Co., Brooklyn, N. Y., remaining in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 12, 1919, and transported from the State of New York into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloin, a laxative plant drug, ferrous carbonate, strychnine, arsenic, and a trace of phosphates.

It was alleged in substance in the libel that the article was misbranded for the reason that the label upon each package of said article and the circular accompanying it contained the following statements, regarding the curative and therapeutic effect of said tablets, (label) "Make-Man Tablets \* \* \* A Brain, Blood and Nerve Food. \* \* \* For The Treatment Of Dyspepsia, Neuralgia, Kidney and Liver Trouble, Catarrh, Consumption, Locomotor-Ataxia, Wasting Diseases, Nervous Debility, Female Disorders, And All Kindred Diseases Resulting From A Worn Out Nervous System. \* \* \* A Certain Cure \* \* \* To Build Up The System \* \* \* To Repair The Nervous System Giving Power Of Endurance And Capacity To Enjoy Every Pleasure. An Ideal Remedy For All Nervous Troubles. The Effect Is Immediate And No Doubt Of Results Exist. They Make Men and Women Strong," (circular) "Make-Man Tablets Make Blood \* \* \* indiscretions, 'over-

doing' loss of sleep, over exhaustion resulting from indiscriminate Sexual Intercourse. \* \* \* Any man that finds his \* \* \* vital force lacking \* \* \* can replenish this lost power by the \* \* \* use of Make-Man Tablets. \* \* \* ' \* \* \* More like a miracle than a medicine.' ' \* \* \* more like a food than a drug.' \* \* \* are sold under an absolute guarantee to restore lost vitality, repair the 'wear and tear.' \* \* \* Makes the Nerve Cells Strong \* \* \* A Sovereign \* \* \* and most reliable treatment for the man who has 'grown old' as a result of dissipation, \* \* \* Enables him to regain the most perfect integrity of health and power of endurance. \* \* \* Natural Food For the Nerves Rather than a temporary stimulant like most advertised so-called aphrodisiacs," which were false and fraudulent in that the tablets contained no ingredient or combination of ingredients capable of producing the effects claimed in any of said statements.

On October 8, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9070. Misbranding of Dr. Martel's Female Pills. U. S. \* \* \* v. 34 Packages of Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13203. I. S. No. 3855-t. S. No. C-2375.)**

On August 24, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 packages of Dr. Martel's Female Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the McCullough Drug Co., Lawrenceburg, Ind., on or about May 3, 1920, and transported from the State of Indiana into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) " \* \* \* Female Pills \* \* \* For (Suppression Of The Menses) Dysmenorrhoea (Painful Menstruation) And Similar Functional Derangements;" (circular) " \* \* \* Female Pills \* \* \* For Suppression [Disturbances] of the Menstrual Functions. \* \* \* For Amenorrhoea (Suppression of the Menses \* \* \* ) \* \* \* treatment \* \* \* should be continued until relief is obtained. For Dysmenorrhoea (Painful or Scanty Menstruation) \* \* \* our medicine will be found to give lasting benefit and genuine relief. \* \* \* To prevent difficult, painful, over-profuse and other morbid menstrual conditions, and keep this important function normal, take \* \* \* for a few days before the expected reappearance of the menstrual flow."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of ferrous sulphate and carbonate, and oil of savin.

It was alleged in substance in the libel that the article was misbranded in violation of section 8 of the Food and Drugs Act, as amended, in that the above-quoted statements appearing on the labels, regarding its curative and therapeutic effects, were false and fraudulent.

On February 10, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*